

Cancellations under section 501 for each financial year since 2004-05

Section 501 cancellations by financial year

Year	Total Cancellations**
2004-05	174
2005-06	54
2006-07	116
2007-08	103
2008-09	86
2009-10	58
2010-11	132
2011-12	157
2012-13	139
2013-14	76
2014-15	580

** This does not count "consequential" cancellations of other visas held (refer to s501F of the Migration Act 1958)

Section 501 cancellations 2014-15 by power and character test ground.

s501 Grounds**	s.501 Power*					Total
	s501(2)	s501(3)	s501(3A)	s501A(2)	s501A(3)	
s501 (6)(a)	73		486	7	1	566
s501 (6)(a); s501 (6)(e)(i)			3			3
s501 (6)(b)		3				3
s501 (6)(b); s501 (6)(c)(ii)		1				1
s501 (6)(c)(i)			1			1
s501 (6)(d) (ii)			1			1
s501 (6)(d) (v)		2				2
s501 (6)(e)(i)			2			2
Total	73	6	493	7	1	580

* Powers:

- s501(2) discretionary cancellation power with natural justice (Minister or delegate);
- s501(3) is the power available to the Minister to make decisions without natural justice, in the national interest;
- s501(3A) is the mandatory cancellation power that applies to non-citizens serving a full-time sentence of imprisonment in a custodial facility, who have a previous 12 month sentence of imprisonment or been found guilty or convicted of a sexually based crime involving a minor;
- s501A is the Minister's personal power to set-aside and substitute a non-adverse decision where it is in the national interest to exercise those powers. This can be done with notice (501A(2)), or without notice (501A(3)).

** Grounds (for full version of the character test please refer to http://www.austlii.edu.au/au/legis/cth/consol_act/ma1958118/s501.html):

- s501(6)(a) – substantial criminal record (as defined by one or more grounds under s.501(7));
- s501(6)(b) – ‘association’ or ‘membership’ to a group/person reasonably suspected of having been involved in criminal conduct.
- s501(6)(c)(i) – past and present *criminal* conduct
- s501(6)(c)(ii) – past and present *general* conduct
- s501(6)(d) – ‘risk’ provisions relates to (i) criminal conduct (ii) harass/molest/intimidate/stalk a person (iii) vilify a segment of the community (iv) incite discord in the community/segment of the community (v) representing a danger to the community.
- s501(6)(e) – convicted of a sexually based offence involving a minor (i) or; found guilty of a sexually based offence involving a minor (ii)

The number of section 501 cancellations that involved consideration of 'confidential information' provided under section 503A of the Migration Act 1958

Section 501 Cancellations involving s.503A confidential information.

Year	Number of s501 Cancellations
2008-09	3
2009-10	34
2010-11	80
2011-12	29
2012-13	24
2013-14	14
2014-15	21
Total	205